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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/764,621	01/18/2001	Takatoshi Tsujimura	JP919990067US1	7849

7590 07/22/2003

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EXAMINER

NGUYEN, DUNG T

ART UNIT PAPER NUMBER

2871

DATE MAILED: 07/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. <b>09/764,621</b>	Applicant(s) <b>Tsujimura et al.</b>
	Examiner <b>Dung Nguyen</b>	Art Unit <b>2871</b>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1)  Responsive to communication(s) filed on Apr 25, 2003
  - 2a)  This action is FINAL.      2b)  This action is non-final.
  - 3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.
- Disposition of Claims**
- 4)  Claim(s) 1-12 is/are pending in the application.
  - 4a) Of the above, claim(s) 3 is/are withdrawn from consideration.
  - 5)  Claim(s) 11 and 12 is/are allowed.
  - 6)  Claim(s) 1, 2, and 4-10 is/are rejected.
  - 7)  Claim(s) \_\_\_\_\_ is/are objected to.
  - 8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9)  The specification is objected to by the Examiner.
- 10)  The drawing(s) filed on Jan 18, 2001 is/are a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12)  The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some\* c)  None of:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

- 14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a)  The translation of the foreign language provisional application has been received.
- 15)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- 1)  Notice of References Cited (PTO-892)
- 2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3)  Information Disclosure Statement(s) (PTO-1449) Paper No(s). 5-6
- 4)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5)  Notice of Informal Patent Application (PTO-152)
- 6)  Other:

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## **DETAILED ACTION**

### ***Election/Restriction***

1. Applicant's election of Species A in Paper No. 8 (dated 04/25/2003) is acknowledged.

Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

### ***Priority***

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

3. The information disclosure statement filed 01/18/2001 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56© most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered.

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***Drawings***

4. Figures 11-12 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

***Specification***

5. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (e) the invention was described in-(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

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7. Claims 1-2, 4-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Jones et al., US Patent No. 6,417,899.

The above claims are anticipated by Jones et al. figure 2 which disclose a liquid crystal display (LCD) device comprising:

an array substrate (3) having a driving element (thin film transistors, TFTs), a display electrode (7);  
a first polarization layer (53);  
a liquid crystal layer (11);  
a color filter substrate (29) having a color filter (23/25/27), a common electrode (15), wherein the first polarization layer is set between the array substrate and the color filter substrate;  
a second polarization layer (31);  
a backlight unit (51), wherein light reflected from the array substrate inherently returns to the backlight unit without passing through other layers, so that the brightness of the liquid crystal display is improved compared to the case of an LCD having light reflected from the array substrate returns to the backlight unit passing through a polarization layer.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

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such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al.,

US Patent No. 6,417,899, in view of Applicant's submitted prior art, Yoshihiro, JP 9-331066.

Regarding the above claims, Jones et al. disclose the claimed invention as described above except for a reflection film. Yoshihiro does disclose a reflection film (28, 30) being formed in an area on the array substrate (figure 1) corresponding to an area in the liquid crystal layer in which a liquid crystal material is orient in a not-purposed direction (i.e., a direction different from an original orientation direction, outside display region) when applying a voltage to the liquid crystal layer. Therefore, it would have been obvious to one skilled in the art at the time of the invention was made to form a reflection film in the Jones et al. device as shown by Yoshihiro in order to improve a display contrast in an LCD device (see abstract).

***Allowable Subject Matter***

10. Claims 11-12 are allowed.

11. The following is a statement of reasons for the indication of allowable subject matter: none of the prior art of record discloses or suggests alone or in combination that an LCD device comprising an array substrate provided with an insulating substrate, a thin film transistor formed on the insulating substrate, a polymer layer which covers the insulating substrate and in which polarization elements are dispersed, and a display electrode which is formed on the polymer layer

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and penetrates the polymer layer and a part of which conductively connects with the thin film transistor as set forth in claims 11.

*Conclusion*

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Dung Nguyen whose telephone number is (703) 305-0423. The Examiner can normally be reached on Monday-Thursday

If attempts to reach the Examiner by telephone are unsuccessful, The Examiner's supervisor, Robert H. Kim can be reached on 703-305-3492. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7730 for regular communications and 703-308-7726 for After Final communications.

Any inquiry of a general nature or relating to the status of this application should be directed to the group receptionist whose telephone number is (703) 308-0956.

DN  
07/09/2003



*Dung Nguyen*  
Patent Examiner  
GAU 2871